

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPH M. ALLEN,

Plaintiff,

Case No. C17-1625-JCC-MAT

V.

MARK MILLER,

Defendant.

ORDER GRANTING PLAINTIFF'S
MOTION TO AMEND AND STRIKING
RESPONSE TO DEFENDANT'S
ANSWER

This is a civil rights action brought under 42 U.S.C. § 1983. This matter comes before the

Court at the present time on plaintiff's motion to amend his complaint. Defendant has filed a

(1) Plaintiff's motion to amend his complaint (Dkt. 15) is GRANTED. Plaintiff seeks leave to amend his complaint, apparently to add more explanation and evidence in support of his claim against defendant Miller. While plaintiff's amended pleading was not submitted in the preferred format, defendant does not object to the amendment and has now filed a responsive pleading to what is plaintiff's second amended complaint. Accordingly, the Court accepts

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1 plaintiff's amended pleading for filing, and the Clerk is directed to post the amended pleading
2 (Dkt. 15) on the docket as plaintiff's second amended complaint.

3 (2) Plaintiff's recently filed response to defendant's answer to plaintiff's second
4 amended complaint (Dkt. 21) is STRICKEN. A response to an answer to a civil complaint is not
5 a proper pleading and is only permitted when specifically ordered by the Court. *See* Fed. R. Civ.
6 P. 7(a)(7). The Court sees no need for the response filed by plaintiff and, thus, that submission is
7 properly stricken from the record. Plaintiff will have an opportunity to litigate the substance of
8 his claims later in this action.

9 (3) The Clerk is directed to send copies of this Order to plaintiff, to counsel for
10 defendant, and to the Honorable John C. Coughenour.

11 DATED this 3rd day of May, 2018.

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14 Mary Alice Theiler
United States Magistrate Judge

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ORDER GRANTING PLAINTIFF'S
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